

## COOPER &amp; DUNHAM LLP

ATTORNEYS AT LAW

1185 AVENUE OF THE AMERICAS, NEW YORK, NEW YORK 10036

TELEPHONE: (212) 278-0400

CHRISTOPHER C. DUNHAM  
NORMAN H. ZIVIN  
JOHN P. WHITE  
WILLIAM E. PELTON  
ROBERT D. KATZ  
DONNA A. TODD  
RICHARD S. MILNER  
RICHARD F. JAWORSKI  
PAUL TENG  
PEDRO C. FERNANDEZ  
MICHAEL F. MORANO  
JASON S. MARIN  
KEITH J. BARKAUS  
HARVEY AGOSTO  
ANTHONY V. FLINT  
ARIAN A. BARTALAI\*  
ASHLEY J. DELAUNEY\*  
CINDY YANG  
RON BILLINGSLEY

IVAN S. KAVRUKOV  
PETER D. MURRAY  
JAY H. MAIOLI  
ROBERT B. G. HOROWITZ  
PETER J. PHILLIPS  
WENDY E. MILLER  
ROBERT T. MALDONADO  
ERIC D. KIRSCH  
ALAN J. MORRISON  
GARY J. GERSHIK  
CHRISTINE S. NICKLES  
SPYROS S. LOUKAKOS\*  
MARIA V. MARUCCI  
DEEPRO R. MUKERJEE  
PAUL S. LIM  
AUDE GERSPACHER  
JEFFREY C. SHIEM\*  
NARESH BRITHARAN\*

RECEIVED  
CENTRAL FAX CENTER

SEP 15 2003

Unofficial

FACSIMILE TRANSMISSION

FACSIMILE: (212) 391-0525  
(212) 391-052  
(212) 391-0630

OF COUNSEL  
DONALD S. DOWDEN  
JOHN R. GARBER  
MARK A. FARLEY

SCIENTIFIC ADVISORS  
BRIAN J. AMOS, PH.D.  
NICHOLAS F. MUTO, PH.D.  
JOSEPH B. CRYSTAL, PH.D.  
ARMAND L. BALBONI, M.PHIL.  
MURIEL M. LIBERTO, PH.D.  
ANNE C. MARINOVIC, PH.D.  
ANTHONY C. KHONG, PH.D.  
JOHN X. HABERMAN, PH.D.

FOUNDED 1887  
www.cooperdunham.com

\*NEW YORK STATE BAR ADMISSION PENDING

PLEASE DELIVER THE FOLLOWING PAGES

TO : United States Patent and Trademark Office  
GROUP ART UNIT : 2877 ATTN.: Examiner Sang H. Nguyen  
FAX NO.: (703) 872-9314  
FROM : Paul Teng OUR DOCKET NO.: 0398/60046  
DATE : September 12, 2003  
TOTAL NUMBER OF PAGES, INCLUDING COVER SHEET: 2  
\* IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL BACK AS SOON AS POSSIBLE TO (212) 278-0400.

MESSAGE

Re: Serial No. 09/378,666  
As indicated in the message I left in your voicemail, I am enclosing proposed claim amendments. As you and I previously discussed, Applicants request an interview in person with you. Applicants propose October 8, 2003 (Wednesday) at 2 pm. If the proposed date and time is not suitable, please let us know of another date and time, preferably during the week of Oct. 6-10. Thanks.

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION IS INTENDED SOLELY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS TRANSMISSION MAY BE AN ATTORNEY-CLIENT COMMUNICATION CONTAINING INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT A DESIGNATED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO A DESIGNATED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, OR IF UPON READING THIS DOCUMENT YOU HAVE REASON TO BELIEVE THAT THE DOCUMENT WAS INADVERTENTLY

Received from <12123910526> at 9/12/03 2:48:37 PM [Eastern Daylight Time] US BY MAIL. THANK YOU.

Unofficial

RECEIVED  
CENTRAL FAX CENTER

SEP 15 2003

David John Watson et al., Serial No. 09/378,666

1. A particle size distribution analysis apparatus comprising a sample measurement zone defining a sample of particles, a light emitting means for providing a source of light incident upon the sample measurement zone, and at least a first detection means for measuring light levels in the apparatus at particular scattering angles and output a signal to a computation means for calculating said particle size distribution enabling the particle size distribution of particles contained within said sample to be determined, wherein said computation means [calculates, in use, said particle size distribution taking into account, for each of said scattering angles,] is arranged to substantially completely compensate for the reflection, by at least one window of said measurement zone, of light that has previously been scattered by said particles, at each of said scattering angles when calculating said particle size distribution.

14. A method of improving the accuracy of a particle size distribution calculation performed by illuminating a sample with light from a light emitting means and measuring an amount of light scattered by the sample comprising providing at least a first detection means and [calculating the particle size distribution taking into account] substantially completely compensating for reflection by at least one window of a measurement zone of light, that has previously been scattered by the particles at at least two scattering angles.

1. A particle size distribution analysis apparatus comprising a sample measurement zone defining a sample of particles, a light emitting means for providing a source of light incident upon the sample measurement zone, and at least a first detection means for measuring light levels in the apparatus at particular scattering angles and output a signal to a computation means for calculating said particle size distribution enabling the particle size distribution of particles contained within said sample to be determined, wherein [~~said computation means calculates, in use, said particle size distribution taking into account, for each of said scattering angles, reflection by at least one window of said measurement zone, of light that has previously been scattered by said particles~~] , in use, light scattered by said particles is reflected from at least one window of said measurement zone, said computation means being arranged to substantially completely compensate for light scattered by said particles and reflected from said at least one window, at each of said scattering angles, when calculating said particle size distribution.

14. A method of improving the accuracy of a particle size distribution calculation performed by illuminating a sample with light from a light emitting means and measuring an amount of light scattered by the sample comprising providing at least a first detection means and [calculating the particle size distribution taking into account] substantially completely compensating for reflection by at least one window of a measurement zone of light, that has previously been scattered by the particles at at least two scattering angles.